

**Sponsored By: Lindsey**

**CITY OF MARATHON, FLORIDA  
RESOLUTION NO. 2017-29**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A RELEASE OF UNITY OF TITLE ON BEHALF OF THE CITY CONCERNING PROPERTY DESCRIBED AS GOVERNMENT LOT 1, AND PART OF STATE ROAD 5, AND PART OF PARCEL 17 AND THE WEST HALF OF PARCEL 16, HOG KEY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, 7 Mile Marine Center, Inc., a Florida corporation, (the “Owner”) as the owner of certain real property located within the City of Marathon executed a Unity of Title dated August 5, 2009 and recorded August 6, 2009 in Official Records Book 2426, Page 879, of the Public Records of Monroe County, Florida, a copy of which is attached hereto as Exhibit A and made a part hereof as if fully set forth herein (the “Unity of Title”), and

**WHEREAS**, the Unity of Title provides that the property described on Schedule A to the Unity of Title (the “Property”) shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately, except in its entirety as one plot or parcel of land, and

**WHEREAS**, the Owner split the Property into two (2) parcels and conveyed each parcel to different grantees subject to the Unity of Title in violation of the Unity of Title, and

**WHEREAS**, the Unity of Title provides that it may only be modified by a written instrument executed by the City Manager following approval by the City Council, and

**WHEREAS**, the successors in title to the two (2) parcels subject to the Unity of Title have petitioned the City of Marathon to release and vacate the Unity of Title, and

**WHEREAS**, the City Planning Director has reviewed the petition for the release of the Unity of Title and, having determined that the petition for the release of the Unity of Title does not require a public hearing and having determined that the intended purpose for the Unity of Title no longer exists since each of the separated parcels can tie into the City of Marathon waste water system, recommends the release and vacation of the Unity of title.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and are incorporated herein by reference as if fully set forth herein.

**Section 2.** The City Council hereby approves the release and vacation of the Unity of Title.

**Section 3.** The City Attorney and City Manager are authorized and directed, for and on behalf of and in the name of the City of Marathon, to execute and deliver the release of the Unity of Title and to execute and deliver any and all agreements or documents they deem necessary and appropriate to accomplish the intent of the foregoing recitals and resolutions. All of such agreements and documents shall be in such form and to contain such provisions as the City Manager executing the same shall approve and his signature appearing thereon shall be conclusive evidence of his approval.

**Section 4.** The City Attorney and City Manager are authorized and directed to take any and all actions they deem necessary and appropriate for and on behalf of and in the name of the City of Marathon to effect the transactions described in the foregoing recitals and resolutions.

**Section 5.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 25<sup>th</sup> DAY OF APRIL, 2017.**

**THE CITY OF MARATHON, FLORIDA**


  
Dr. Daniel Zieg, Mayor

AYES: Bartus, Cook, Coldiron, Senmartin, Zieg  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
Diane Clavier, City Clerk (City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

  
David Migut, City Attorney

ACKNOWLEDGMENT AND CONSENT

The undersigned, Elite Sky Holdings, LLC, a dissolved Florida limited liability company, is the fee simple owner of the property described as:

LEGAL DESCRIPTION ATTACHED HERETO  
AS EXHIBIT A AND INCORPORATED HEREIN BY  
REFERENCE AS IF FULLY SET FORTH HEREIN

pursuant to that certain Warranty Deed dated April 14, 2014 and recorded May 14, 2014 in Official Records Book 2684, Page 356, of the Public Records of Monroe County, Florida, does hereby acknowledge and consent to the petition by Grand Keys, LLC, a Florida limited liability company, to the City of Marathon to release and vacate that certain Unity of Title dated August 5, 2009 and recorded August 6, 2009 in Official Records Book 2426, Page 879, of the Public Records of Monroe County, Florida, a copy of which is attached hereto as Exhibit B and made a part hereof as if fully set forth herein (the "Unity of Title"). The release and vacation of the Unity of Title shall be binding upon Elite Sky Holdings, LLC and its successors and/or assigns.

IN WITNESS WHEREOF, these presents have been executed this 29 day of March, 2017.

WITNESSES:

ELITE SKY HOLDINGS, LLC

Witness Signature

Printed Name

By

Name

Title

Witness Signature

Printed Name

STATE OF FLORIDA

COUNTY OF MONROE

The foregoing instrument was acknowledged before by CHENNING YEE, the MEMBER of Elite Sky Holdings, LLC on behalf of the company. (Check one)  Said person(s) is/are personally known to me.  Said person(s) provided the following type of identification \_\_\_\_\_.

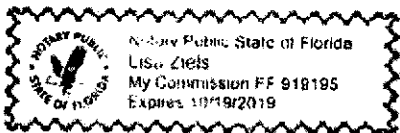
Witness my hand and official seal in the County and State last aforesaid this 29 day of March, 2017.

NOTARY RUBBER STAMP SEAL

Printed Name

Notary Public

My Commission Expires: \_\_\_\_\_



This Instrument Was Prepared By:  
Thomas D. Wright, Esquire  
Law Offices of Thomas D. Wright, Chartered  
P.O. Box 500309  
Marathon, FL 33050  
Telephone: 305-743-8118

**UNITY OF TITLE**

WHEREAS, **7 Mile Marine Center, Inc.**, a corporation existing under the laws of the State of Florida, the undersigned is the fee simple owner (the "Owner") of the Property described as:

LEGAL DESCRIPTION ATTACHED HERETO  
AS SCHEDULE "A" AND BY REFERENCE  
MADE A PART HEREOF

Owner recognizes and acknowledges that for the public health, welfare, safety or morals, the Property should not be divided into separate parcels owned by the owner as long as the same is put to the hereinafter use; and in consideration of the right to re-develop the Property with commercial structures, with one sewage treatment system, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner hereby agrees to restrict the use of the subject Property in the following manner:

The Property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately, except in its entirety as one plot or parcel of land. This restriction shall not prohibit the submission of the parcel, as unified, into a condominium form of ownership.

Owner further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land and shall be recorded, at Owner's expense, in the Public Records of Monroe County, Florida, and shall remain in full force and effect and be binding upon the Owner, his heirs, successors, personal representatives and

assigns and upon all mortgages or lessees until such time as the same may be released in writing by the Marathon City Council after a public hearing.

### CONDITIONS

1. **City:** This Unity of Title is intended to benefit and run in favor of the City of Marathon, Florida.
2. **Enforcement:** This Unity of Title may be enforced by the City at law or in equity or as a code compliance action against any party or person violating, or attempting to violate, any of the covenants and restrictions contained herein. The remedies available to the City shall include, but are not limited to, obtaining a court order requiring the Owner or his successor or assigns to compel the Property's continuing compliance with the covenants and restrictions contained herein until the City releases this Unity of Title. The prevailing party in any action or suit pertaining to or arising out of this Declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, reasonable attorneys' fees and costs as well as attorneys' fees and costs incurred in enforcing this prevailing parties attorneys' fees provision. This enforcement provision shall be in addition to any other remedies available at law or in equity.
3. **Authorization for City to Withhold Permits and Inspections.** If the terms of this Unity of Title are not being complied with, in addition to any other remedies available at law or in equity, the City is hereby authorized after notice and an opportunity to cure, to withhold any permits regarding the Property or any portion thereof, and to refuse to make any inspections or grant any approvals for the Property or any portion thereof until such time as the Owner or his/her/its successor or assigns are in compliance with the conditions of this Unity of Title. The determination of non-compliance and to withhold permits, inspections, or approvals shall be by the Director of Planning and shall be subject to the appeal provision of the City's land development regulations.
4. **Modifications, Amendments and Releases.** This Unity of Title may only be modified, amended or released by a written instrument executed by the City Manager following approval by the City Council. All modification, amendments and release hereto shall be in writing and must be signed by the Owner, or his successors or assigns, and the City Manager. All amendments hereto shall be recorded in the Public Records of Monroe County, Florida, and shall not be valid until recorded.

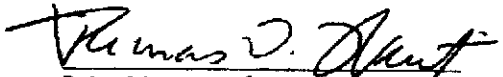
5. **Governing Law.** This Unity of Title and the enforcement of the rights and obligations established hereby shall be subject to and governed by the laws of the State of Florida.
6. **Recordation.** The Owner, at his sole expense, shall record this Unity of Title in the Public Records of Monroe County, Florida, within ten (10) working days after approval of the same by the City.

IN WITNESS WHEREOF, the undersigned has caused this Unity of Title to be executed as of this 5 day of August, 2009.

WITNESS OR ATTEST:

OWNER:

7 MILE MARINE CENTER, INC.,  
a Florida corporation


  
Print Name: Thomas D Wright

  
Cale B. Nelson, Jr., President

  
Print Name: Catherine Baumeister

STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 5th day of August, 2009, by Cale B. Nelson, Jr., President of 7 Mile Marine Center, Inc., on behalf of the corporation who is personally known to me or has produced his \_\_\_\_\_ as identification.

NOTARY PUBLIC-STATE OF FLORIDA  
 Catherine Baumeister  
Commission #DD765504  
Expires: MAR. 29, 2012  
BONDED THRU ATLANTIC BONDING CO., INC.

  
Notary Public

My commission expires:

SCHEDULE "A"

**LEGAL DESCRIPTION: UPLAND PARCEL** (This description has been compiled from information contained in that certain Warranty Deed recorded in Official Record Book 817 at page 1458 of the Public Records of Monroe county, Florida, and occupation revealed by field survey performed during October, 1991)

A part of Lot 1, Section 8, Township 66 South, Range 32 East, commonly called Hog Key and more particularly described as follows:

BEGINNING at a point in the centerline of the Overseas Bridge and Toll District Highway as now constructed (a.k.a. U.S. Highway No. 1, and State Road No. 5), being the Southwest corner of the North Portion of Lot 1, Section 8, Township 66 South, Range 32 East, thence with said centerline of the Overseas Bridge and Toll District Highway (also being along the baseline of said U.S. Highway No. 1 as shown on the Florida Department of Transportation Right-of-Way Map for said State Road No. 5, labeled Section 90030-(2522)2530, sheet 4 of 5 sheets, approved on April 16, 1979, and recorded in Road Map Book 1 at page 145 of the Public Records of Monroe County, Florida), North 85 degrees, 15 minutes East, 399.98 feet (396.36 feet by deed); thence departing from said centerline North 12 degrees, 16 minutes, 00 seconds West, 509.26 feet (508.35 feet by deed) to a found 3/4" iron pipe and cap, LS no. 1332; thence South 58 degrees, 21 minutes, 00 seconds West, 153.98 feet to a found 3/4" pipe; thence North 32 degrees, 51 minutes, 00 seconds West, 135.97 feet to intersect the Mean High Water Line, as located in October, 1991, utilizing methods approved by the Florida Department of Natural Resources in October, 1991; thence meandering along said Mean High Water Line, westerly and southerly, for the following descriptive courses: North 64 degrees, 59 minutes, 37 seconds West, 1.55 feet; thence South 55 degrees, 19 minutes, 39 seconds West, 20.79 feet; thence South 64 degrees, 52 minutes, 04 seconds West, 8.86 feet; thence South 69 degrees, 48 minutes, 17 seconds West, 10.47 feet; thence South 77 degrees, 14 minutes, 36 seconds West, 11.60 feet; thence North 71 degrees, 39 minutes, 51 seconds West, 0.73 feet; thence South 14 degrees, 21 minutes, 44 seconds West, 6.26 feet; thence North 33 degrees, 07 minutes, 55 seconds West, 8.34 feet; thence South 54 degrees, 59 minutes, 20 seconds West, 12.01 feet; thence South 59 degrees, 02 minutes, 42 seconds West, 12.01 feet; thence South 33 degrees, 33 minutes, 56 seconds East, 7.77 feet; thence South 21 degrees, 25 minutes, 05 seconds East, 2.99 feet; thence South 60 degrees, 05 minutes, 36 seconds West, 25.57 feet; thence South 60 degrees, 14 minutes, 30 seconds West, 13.56 feet; thence South 31 degrees, 55 minutes, 52 seconds West, 20.40 feet; thence South 26 degrees, 04 minutes, 33 seconds East, 12.72 feet; thence South 09 degrees, 37 minutes, 56 seconds East, 42.94 feet; thence South 00 degrees, 49 minutes, 28 seconds East, 14.53 feet; thence South 45 degrees, 49 minutes, 28 seconds East, 12.65 feet; thence South 49 degrees, 11 minutes, 27 seconds East, 20.46 feet; thence South 57 degrees, 34 minutes,

52 seconds East, 12.73 feet; thence North 78 degrees, 50 minutes, 58 seconds East, 10.73 feet; thence South 85 degrees, 52 minutes, 21 seconds East, 12.43 feet; thence South 37 degrees, 57 minutes, 47 seconds East, 7.63 feet; thence South 29 degrees, 56 minutes, 03 seconds East, 18.02 feet; thence South 04 degrees, 18 minutes, 33 seconds East, 7.75 feet; thence South 11 degrees, 14 minutes, 54 seconds East, 12.16 feet; thence South 50 degrees, 20 minutes, 23 seconds West, 14.98 feet; thence South 08 degrees, 05 minutes, 51 seconds West, 18.49 feet; thence South 39 degrees, 17 minutes, 33 seconds West, 8.99 feet; thence South 05 degrees, 19 minutes, 25 seconds West, 9.45 feet; thence South 10 degrees, 52 minutes, 46 seconds East, 13.34 feet; thence South 14 degrees, 35 minutes, 31 seconds East, 17.80 feet; thence South 02 degrees, 59 minutes, 38 seconds West, 12.74 feet; thence South 49 degrees, 22 minutes, 53 seconds West, 8.93 feet to intersect the interpretive natural shoreline; thence along said natural shoreline South 20 degrees, 27 minutes, 48 seconds West, 54.42 feet; thence South 05 degrees, 27 minutes, 14 seconds West, 203.22 feet to intersect the aforesaid centerline of the Overseas Bridge and Toll District Highway; thence North 85 degrees, 15 minutes, 00 seconds East, along said centerline 3.63 feet to the Point of Beginning, and containing 164117 square feet or 3.76761 acres, more or less, of uplands and submerged lands, and being subject to the right-of-way for said Overseas Bridge and Toll District Highway.

Less

**LEGAL DESCRIPTION: ENCROACHMENT AREA**

A parcel of land situate in Lot 1, Section 8, Township 66 South, Range 32 East, Monroe County, Florida, commonly known as Hog Key, being a portion of the parcel described in that certain Warranty Deed, dated August, 13, 1980, recorded in Official Record Book 817 at page 1458 of the Public Records of said Monroe County, more particularly described as follows:

COMMENCING at the Southwest Corner of the North Portion of Lot 1 of said Section 8, as described in a deed from C. Murchinson Walker joined by Edna Murphy Walker, his wife, dated June 26, 1947, said corner being at Centerline Station 36+12.63 of the Right-of-way Map for State Road No. 5, section 90030-(2522)2530, thence N85°15'E along the centerline of said State Road No. 5 a distance of 396.36 feet; thence N12°16'W 508.35 feet; thence S58°21'W a distance of 153.98 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING then N31°52'W a distance of 99.72 feet; thence N17°26'E a distance of 47.36 feet, more or less, to intersect the Mean High Water Line approved by the Florida Department of Natural Resources in December, 1991; thence meander said Approved Mean High Water Line for the following courses:



S87°34'55"W a distance of 6.75 feet; thence S49°57'50"W a distance of 6.04 feet; thence S39°10'16"W a distance of 7.34 feet; thence S39°55'08"W a distance of 7.31 feet; thence S71°45'33"W a distance of 2.29 feet; thence S65°49.53"W a distance of 6.79 feet; thence N71°20'49"W a distance of 4.56 feet; thence N45°10'41"W a distance of 2.64 feet; thence S64°59'37"W a distance of 0.04 feet to intersect the easterly boundary of those lands described in that certain Easement recorded in Official Records Book 936 at page 1299 of the aforesaid Public Records; thence, departing from said Approved Mean High Water Line, along said easterly boundary S32°51'00"E a distance of 135.97 feet, more or less, to the POINT OF BEGINNING.

The above described parcel contains 722 square feet, more or less.

**TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:**

Situated in the County of Monroe and the State of Florida and being a parcel consisting of filled lands, lying westerly of Government Lot 1, Section 8, Township 66 South, Range 32 East, Hog Key, and more particularly described as follows:

COMMENCING at the intersection of the baseline of State Road No. 5, a.k.a. U.S. Highway No. 1, as shown on the Florida Department of Transportation Right-of-Way Map for said State Road No. 5, labeled Section 90030-(2522)2530, sheet 4 of 5 sheets, approved on April 16, 1979, and recorded in Road Map Book 1 at page 145 of the Public Records of Monroe County, Florida, with the East line of said Section 8, Township 66 South, Range 32 East, on Hog Key, Monroe County, Florida, then bear South 85 degrees, 15 minutes, 00 seconds West along said baseline, 1089.78 feet to its intersection with the southerly prolongation of the westerly shoreline of Hog Key as shown upon said Right-of-way Map of Florida State Road No. 5. The intersection of said shoreline prolongation with the centerline of U.S. Highway No. 1 being located South 85 degrees, 15 minutes, 00 seconds West 3.63 feet, measured along said baseline, from the Southwest corner of the North portion of government Lot 1, Section 8, Township 66 South, Range 32 East, as described in Official Record Book 817, Page 1458 of Monroe County, Florida, Public Records; from said intersection bear North 05 degrees, 27 minutes, 14 seconds East along said westerly shoreline and its southerly prolongation 203.22 feet to intersect with a line 200.00 feet north of and parallel with said baseline, also being the most northerly right-of-way of said U.S. Highway No. 1; thence bear North 20 degrees 27 minutes, 48 seconds East, along the interpretive westerly shoreline 9.85 feet to intersect the southerly Mean High Water Line, as located in October, 1991, utilizing methods approved by the Florida Department of Natural Resources in October, 1991, said intersection being the Point of Beginning of the parcel of land herein intended to be described; thence meander, westerly, along said mean high water line for the following descriptive courses: North 33 degrees 18 minutes, 28 seconds West for 2.70 feet; thence North 67 degrees, 28 minutes, 58 seconds West for 10.83 feet; thence North 76 degrees, 11

minutes, 35 seconds West for 9.39 feet; thence North 77 degrees, 14 minutes, 22 seconds West for 29.92 feet; thence North 74 degrees, 55 minutes, 14 seconds West for 8.11 feet; thence South 82 degrees, 21 minutes, 13 seconds West for 12.86 feet; thence South 82 degrees, 01 minutes, 15 seconds West for 20.08 feet; thence South 67 degrees, 02 minutes, 19 seconds West for 13.70 feet; thence South 39 degrees, 12 minutes, 12 seconds West for 14.32 feet; thence South 28 degrees, 13 minutes, 44 seconds West for 10.75 feet; thence South 14 degrees, 57 minutes, 25 seconds West for 5.94 feet to intersect the aforesaid most northerly right-of-way line of U.S. Highway No. 1; thence South 85 degrees, 15 minutes, 00 seconds West, along said most northerly right-of-way line, for 31.15 feet to intersect the most westerly Mean High Water Line as described above; thence meander along said Mean High Water Line for the following descriptive courses: North 03 degrees, 19 minutes, 02 seconds East for 11.69 feet; thence North 15 degrees, 52 minutes, 25 seconds East for 17.00 feet; thence North 31 degrees, 30 minutes, 57 seconds East for 15.58 feet; thence North 29 degrees, 22 minutes, 10 seconds East for 12.86 feet; thence North 07 degrees, 52 minutes, 33 seconds West for 2.73 feet; thence North 52 degrees, 03 minutes, 39 seconds East for 21.96 feet; thence South 81 degrees, 38 minutes, 44 seconds East for 16.02 feet; thence South 87 degrees, 00 minutes, 47 seconds East for 20.02 feet; thence North 89 degrees, 38 minutes, 46 seconds East for 23.13 feet; thence South 80 degrees, 20 minutes, 11 seconds East for 19.54 feet; thence South 82 degrees, 43 minutes, 06 seconds East for 16.01 feet; thence South 38 degrees, 01 minutes, 38 seconds East for 3.61 feet; thence South 85 degrees, 29 minutes, 11 seconds East for 23.27 feet; thence North 49 degrees, 22 minutes, 53 seconds East for 11.71 feet to intersect the aforesaid westerly shoreline of Hog Key; thence departing from said mean high water line and along the interpretive natural shoreline, South 20 degrees, 27 minutes, 48 seconds West for 44.58 feet to the POINT OF BEGINNING, and containing 5,402 square feet, more or less, of land above mean high water.

Doc# 1754180  
Bk# 2428 Pg# 886

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:  
(See OR Book 1440, Page 1044)

A tract of land in a part of Government Lot 1, Section 8, Township 66 South, Range 32 East, on Hog Key, Monroe County, Florida and being more particularly described by metes and bounds as follows: COMMENCING at the intersection of the East Line of Section 8 and the Centerline of U.S. Highway No. 1, bear South 85 degrees and 15 minutes West along the Centerline of U.S. Highway No. 1 for a distance of 689.49 feet; thence bear North 12 degrees and 16 minutes West, 105.91 feet to the POINT OF BEGINNING of the tract of land hereinafter described; from said POINT OF BEGINNING, continue bearing North 12 degrees and 16 minutes West, 393.84 feet; thence bear North 77 degrees and 44 minutes East, 118.97 feet; thence bear South 12 degrees and 16 minutes East, 409.54 feet; thence bear South 85 degrees and 15 minutes West, 120 feet, back to the POINT OF BEGINNING.  
Tax Appraiser's Parcel ID: 00101610-000000

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:  
(See OR Book 1546, Page 506)

Deed# 1754180  
Bk# 2426 Pg# 887

PARCEL 6002

PROJECT 90030-2522

A strip or parcel of land 55 feet wide and 345 feet more or less in length being a portion of State Road No. 5 Right of Way, as shown in Florida Department of Transportation Right of way Map for Section 90030-(2522)2530, lying adjoining to the North Right of Way Line of said State Road No. 5, and also lying in Government Lot 1 of Section 8, Township 66 South, Range 32 East, on the Island of Hog Key Monroe County, Florida, previously described in Quit Claim Deed recorded in Book G-33, Page 308, of the Public Records of Monroe County, Florida and now more particularly described as follows:

COMMENCE at a point in the centerline of said State Road No. 5, according to the above mentioned Right of way Map, a distance of 3939.08 feet Easterly from the Easterly end of the Seven Mile Bridge; THENCE run North at a right angle to said centerline, 50 feet to the Northerly Right of Way Line of State Road No. 5, to a point, said point also being the POINT OF BEGINNING; THENCE continue on same line for a distance of 55 feet to a point; THENCE run easterly and parallel to said centerline of State Road 5, 340 feet more or less to the Easterly Shore line of Hog Key according to said Right of Way Map; THENCE run Southerly along said Easterly Shore Line of Hog Key, for a distance of 58 feet more or less to a point; THENCE run Westerly along a line that is 50 feet Northerly of and parallel with the aforementioned centerline of State Road 5, for a distance of 355 feet, more or less to the POINT OF BEGINNING.

Containing 0.44 acres, more or less

TB/11/05/98

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:  
(See OR Book 1358, Page 1294)  
PARCEL "E"

A Part of Government Lot 1, Section 8, Township 66 South, Range 32 East, on Hog Key, Monroe County, Florida, and being more particularly described by metes and bounds as follows:

COMMENCING at the intersection of the baseline of State Road No. 5, a.k.a. U.S. Highway No. 1, as shown on the Florida Department of Transportation Right-of-Way Map of State Road No. 5, labeled Section 90030-(2522)2530, sheet 4 of 3 sheets, approved on April 16, 1979, and recorded in Road Map Book 1 at page 145 of the Public Records of Monroe County, Florida, with the East line of said Section 8, Township 66 South, Range 32 East, on Hog Key, Monroe County, Florida, thence bear South 85 degrees, 15 minutes, 00 seconds West along said baseline, for a distance of 1089.78 feet, to its intersection with the southerly prolongation of the westerly shoreline of Hog Key as shown upon said Right-of-way Map of Florida State Road No. 5. The intersection of said shoreline prolongation with the easterly line of U.S. Highway No. 1, being located South 85 degrees, 15 minutes, 00 seconds West, 3.63 feet, measured along said baseline, from the Southwest corner of the North portion of Government Lot 1, Section 8, Township 66 South, Range 32 East, as described in Official Record Book 817, Page 1458 of Monroe County, Florida, Public Records; from said intersection bear North 05 degrees, 27 minutes, 14 seconds East, along said westerly shoreline and its southerly prolongation, for a distance of 50.80 feet, to intersect with a line 50.00 feet Northerly of and parallel with said baseline, also being the northerly right-of-way of said U.S. Highway No. 1, said intersection being the POINT OF BEGINNING of the parcel of land herein intended to be described; from said intersection continue bearing North 05 degrees, 27 minutes, 14 seconds East, along said westerly shoreline, for a distance of 152.42 feet, to intersect with a line 200.00 feet Northerly of and parallel with said baseline, also being the most northerly right-of-way of said U.S. Highway No. 1, thence bear North 20 degrees, 27 minutes, 48 seconds East, along the interpretive westerly shoreline and the easterly line of the land as described in Official Record Book 1260, page 1036, of said Public Records, for a distance of 54.43 feet, to intersect the Westerly Mean High Water Line, of said Hog Key, as located in October, 1991, utilizing methods approved by the Florida Department of Natural Resources in October, 1991; thence bear North 49 degrees, 22 minutes, 53 seconds East, along said Mean High Water Line, for a distance of 0.23 feet; thence departing from said Mean High Water Line, bear North 83 degrees, 56 minutes, 38 seconds East, for a distance of 71.55 feet, to an iron pipe, (cap no. 4906); thence bear South 31 degrees, 36 minutes, 10 seconds East, for a distance of 225.31 feet, to an iron pipe, (cap no. 4906), and to intersect with a line 50.00 feet Northerly of and parallel with said baseline, also being the northerly right-of-way of said U.S. Highway No. 1; thence bear South 85 degrees, 15 minutes, 00 seconds West, along said right-of-way line, for a distance of 223.68 feet, back to the POINT OF BEGINNING, containing an area of 30,661.1 square foot, more or less. According to the Sketch of Specific Purpose Survey for Legal Description, dated 06/13/95, by John Paul Grimes, III, R.L.S. #4906, and by this note made a part hereof.

**LEGAL DESCRIPTION: D.N.R. PURCHASE AREA "B"**

Situated in the County of Monroe and the State of Florida and being a parcel consisting of filled lands, lying westerly of Government Lot 1, Section 8, Township 66 South, Range 32 East, Hog Key, and more particularly described as follows:

COMMENCING at the intersection of the baseline of State Road No. 5, a.k.a. U.S. Highway No. 1, as shown on the Florida Department of Transportation Right-of-Way Map for said State Road No. 1, labeled Section 90930-(2522)2530, sheet 4 of 5 sheets, approved on April 16, 1979, and recorded in Road Map Book 1 at page 145 of the Public Records of Monroe County, Florida, with the East line of said Section 8, Township 66 South, Range 32 East, on Hog Key, Monroe County, Florida, then bear South 85 degrees, 15 minutes, 00 seconds West along said baseline, 1089.78 feet to its intersection with the southerly prolongation of the westerly shoreline of Hog Key as shown upon said Right-of-way Map of Florida State Road No. 5. The intersection of said shoreline prolongation with the centerline of U.S. Highway No. 1 being located South 85 degrees, 15 minutes, 00 seconds West 3.63 feet, measured along said baseline, from the Southwest corner of the North portion of government Lot 1, Section 8, Township 66 South, Range 32 East, as described in Official Record Book 817, Page 1458 of Monroe County, Florida, Public Records; from said intersection bear North 05 degrees, 27 minutes, 14 seconds East along said westerly shoreline and its southerly prolongation 263.22 feet to intersect with a line 200.00 feet north of and parallel with said baseline, also being the most northerly right-of-way of said U.S. Highway No. 1; thence bear North 20 degrees 27 minutes, 48 seconds East, along the interpretive westerly shoreline 9.85 feet to intersect the southerly Mean High Water Line, as located in October, 1991, utilizing methods approved by the Florida Department of Natural Resources in October, 1991, said intersection being the Point of Beginning of the parcel of land herein intended to be described; thence meander, westerly, along said mean high water line for the following descriptive courses:

North 33 degrees 18 minutes, 28 seconds West for 2.70 feet; thence North 67 degrees, 26 minutes, 58 seconds West for 10.83 feet; thence North 76 degrees, 11 minutes, 35 seconds West for 9.39 feet; thence North 77 degrees, 14 minutes, 22 seconds West for 29.92 feet; thence North 74 degrees, 55 minutes, 14 seconds West for 8.11 feet; thence South 82 degrees, 21 minutes, 13 seconds West for 12.86 feet; thence South 82 degrees, 01 minutes, 13 seconds West for 20.08 feet; thence South 67 degrees, 02 minutes, 19 seconds West for 13.70 feet; thence South 39 degrees, 12 minutes, 12 seconds West for 14.32 feet; thence South 28 degrees, 13 minutes, 44 seconds West for 10.75 feet; thence South 14 degrees, 57 minutes, 25 seconds West for 5.94 feet to intersect the aforesaid most northerly right-of-way line of U.S. Highway No. 1;

thence South 85 degrees, 15 minutes, 00 seconds West, along said most northerly right-of-way line, for 31.15 feet to intersect the most westerly Mean High Water Line as described above; thence meander along said Mean High Water Line for the following descriptive courses:

North 03 degrees, 19 minutes, 02 seconds East for 11.69 feet; thence North 15 degrees, 52 minutes, 25 seconds East for 17.00 feet; thence North 31 degrees, 30 minutes, 57 seconds East for 15.58 feet; thence North 29 degrees, 22 minutes, 10 seconds East for 12.86 feet; thence North 87 degrees, 52 minutes, 33 seconds West for 2.73 feet; thence North 52 degrees, 03 minutes, 31 seconds East for 21.95 feet; thence South 81 degrees, 38 minutes, 44 seconds East for 16.02 feet; thence South 87 degrees, 00 minutes, 47 seconds East for 20.02 feet; thence North 89 degrees, 38 minutes, 46 seconds East for 23.13 feet; thence South 80 degrees, 20 minutes, 11 seconds East for

19.54 feet; thence South 82 degrees, 43 minutes, 06 seconds East for 16.81 feet; thence South 38 degrees, 01 minutes, 30 seconds East for 3.61 feet; thence South 85 degrees, 29 minutes, 11 seconds East for 23.27 feet; thence North 49 degrees, 22 minutes, 33 seconds East for 11.71 feet to intersect the aforesaid westerly shoreline of Hog Key; thence departing from said mean high water line and along the interpretive natural shoreline, South 20 degrees, 27 minutes, 48 seconds West for 44.58 feet to the POINT OF BEGINNING, and containing 3,402 square feet, more or less, of land above mean high water.

**Doc# 1754180**  
**Bkn 2426 Pgn 691**

Subject to and together with an easement dated June 19, 1995, and recorded in Official Records Book 1358, Page 1310 of the Public Records of Monroe County, Florida, and as amended in Easement dated April 24, 2006, and recorded in Official Records Book 2203, Page 1746 of the Public Records of Monroe County, Florida.

**MONROE COUNTY**  
**OFFICIAL RECORDS**



RELEASE OF UNITY OF TITLE

**KNOW ALL MEN BY THESE PRESENTS:** The undersigned representative of the City of Marathon, a municipal corporation of the State of Florida, releases the UNITY OF TITLE recorded in Official Record Book 2426 Pages 879 through 891 of the Public Records of Monroe County, Florida, relating to and pertaining to the property described in said UNITY OF TITLE being located in the City of Marathon, Monroe County, Florida.

All terms, conditions and provisions contained in the aforementioned UNITY OF TITLE are hereby released and canceled.

SIGNED AND SEALED this 3rd day of May, 2017.

CITY OF MARATHON

Charles E. Lindsey  
Charles Lindsey, City Manager

WITNESSES:

[Signature]  
(signature)

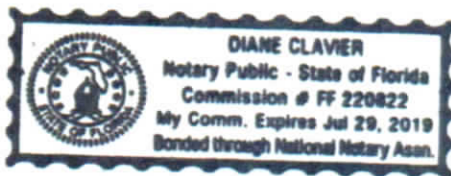
Brian Shea  
(printed name)

[Signature]  
(signature)

Lorie Mullins  
(printed name)

STATE OF FLORIDA  
COUNTY OF MONROE

ACKNOWLEDGED before me, a Notary Public, this 3 day of May, 2017, by Charles Lindsey, [ ] who is personally known to me or [ ] who produced \_\_\_\_\_ as identification.



Diane Clavier  
Signature of Notary Public  
Diane Clavier  
Printed name of Notary